IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1452 OF 2006

Varghese George ... Petitioner

V/s.

The Union of India & Ors. ... Respondents

Mr. K.M. Jawale for the petitioner.
Mr. Y.R. Mishra for the respondents.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED : 21st December, 2006

P.C.

. Rule. Heard forthwith.

2. It is the case of the petitioner that he is a contractor and respondents are refusing to issue tender documents, eventhough he is qualified and meets with the requirements.

3. The contention of the respondents, as seen from the affidavit in reply by Mr. Rajesh Nigam is that one of the contract performed by the petitioner was not completed within time and had to be completed by some other contractor. No material has been placed before us to show as to how they can preclude the petitioner from participating in the bid process. On instructions the learned counsel for the respondents makes statement that as of now the petitioner has not

been black listed. Considering the above, the petition can be disposed of by issuing following directions.

i. Respondents on petitioner applying for tender documents to give the same to him.

ii. If respondents are of the opinion that the petitioner stands disqualified then it is open to the respondents after issuing Show Cause Notice and giving opportunity of hearing to the petitioner to pass appropriate orders according to law.

4. Rule made absolute accordingly. No order as to costs.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]